

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Archer Daniels Midland Company
Corn Processing Division
400 West Erie Road
Marshall, MN 56258-2744**

ATTENTION:

**Nathaniel Munkel
Environmental Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Archer Daniels Midland (ADM) to submit certain information about the facility at 400 West Erie Road, Marshall, Minnesota. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

ADM owns and operates an emission source at the Marshall, Minnesota facility. We are requesting this information to determine whether your emission source is complying with the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing (40 C.F.R. Part 63, Subpart FFFF) and the Minnesota State Implementation Plan (SIP).

ADM must send all required information to:

Attn: Compliance Tracker, AE-18J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

ADM must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

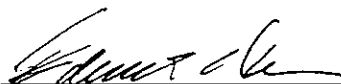
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject ADM to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Dakota Prentice at 312.886.6761

7/18/18
Date



Edward Nam
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing, at 40 C.F.R. Part 63, Subpart FFFF.

Appendix B

Information You Are Required to Submit to EPA

Archer Daniels Midland Company (ADM) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) about the facility at 400 West Erie Road, Marshall, Minnesota (the "Facility"):

1. Provide a copy of each current air permit issued to ADM for the Facility by the Minnesota Pollution Control Agency (MPCA) including, but not limited to, operating permits, construction permits, and permit amendments or revisions.
2. Provide a copy of all permit applications submitted to MPCA for the Facility since July 1, 2008.
3. Provide a process flow diagram for the Facility, including all tanks/vessels utilized during production and their purpose (*e.g.*, surge control).
4. Provide potential-to-emit calculations for volatile organic compounds (VOCs), sulfur dioxide (SO₂), and individual and total hazardous air pollutants (HAPs) for each emission unit at the Facility.
5. Provide copies of all annual emission reports submitted to MPCA or to the Toxic Release Inventory Program for the Facility from 2013 to the date of this information request, and include:
 - a. A narrative describing the method used for the annual emission calculation for each pollutant, including the basis of any emission factors used; and
 - b. Any documents outlining procedures for calculating annual emissions.
6. Provide a list of all emission tests conducted at the Facility for any reason, from July 2008 to the date of this information request, and provide copies of all emission test reports. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. If an emission test for an existing emission unit was not conducted during this time period, provide the most recent emission test for that unit. Use the following guidelines for compiling the list and preparing copies of the stack test reports:
 - a. **List:** Identify the emission unit, the date of the test, the federal or state regulation requiring the test (if applicable), the test method(s) used, the physical location of the sample collection points (*e.g.*, before or after emission unit or air pollution control device), and the production rate of the associated emission unit. For each test during which the emission unit was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with MPCA.

- b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations.
- 7. Provide copies of all quarterly reports, semi-annual compliance reports, deviation reports, or equivalent documents submitted to MPCA or EPA for the Facility from January 2013 to the date of this information request.
- 8. For the Facility's leak detection and repair program, provide the following, from July 2013 to the date of this information request:
 - a. A copy of all applicable notifications and reporting documents required by 40 C.F.R. § 60.487 and/or § 60.487a;
 - b. Any permit deviation reports (quarterly compliance reports); and
 - c. A copy of the most recent leaking components monitoring log, which lists all components tested and the status of each component inspected during the monitoring period.
- 9. Provide a list of emission units and their associated air pollution control equipment at the Facility. For each piece of air pollution control equipment, provide the date (year) of startup and the compound-specific control efficiency of the unit. Identify the basis of the control efficiency (e.g., engineering calculations or performance tests).
- 10. Provide an electronic spreadsheet with the following information for each scrubber located at the Facility from July 2013 to the date of this information request:
 - a. The scrubber ID;
 - b. The emission units routed to the scrubber;
 - c. The operating parameter(s) monitored at the scrubber for environmental compliance;
 - d. The operating parameter range established for regulatory compliance, the method used to establish the values (reference performance test as applicable), and the effective date of these operating limits;
 - e. The monitored operating parameter data;
 - f. The corrective action taken for each deviation from the pressure drop operating range;
 - g. The date and duration of all scrubber shutdowns when the associated emission units were in operation, as well as an annual total (in hours) for each calendar year; and
 - h. Provide a narrative of how emissions ducted to each scrubber are handled in the event of a scrubber shutdown.
- 11. Provide an electronic spreadsheet with the following information for each thermal oxidizer at the Facility from July 2013 to the date of this information request:
 - a. The thermal oxidizer ID;
 - b. The emission units routed to the thermal oxidizer;
 - c. The recorded combustion temperature used for regulatory compliance;

- d. The minimum average operating temperature established for regulatory compliance, the method used to establish the values (reference performance test as applicable), and the effective date of these operating limits;
 - e. The corrective action taken for each deviation from the minimum average combustion temperature; and
 - f. The date and duration of all thermal oxidizer shutdowns when the associated emission units are in operation, as well as an annual total (in hours).
- 12. Provide an electronic spreadsheet delineating ethanol production per month, without denaturant (gallons/month) at the Facility from July 1, 2013, to the date of this information request.
- 13. Provide an electronic spreadsheet delineating the production volume of dried germ (i.e., germ processed by the germ dryers) as tons per month at the Facility from July 1, 2013, to the date of this information request.
- 14. Provide a list of all miscellaneous organic chemical manufacturing process units (MCPUs) at the Facility, as defined at 40 C.F.R. Part 63, Subpart FFFF.
- 15. For each germ dryer at the Facility, provide the following information regarding the dryer exhaust stream with supporting documentation:
 - a. the percent by weight of total HAPs; and
 - b. the total resource effectiveness calculated pursuant to 40 C.F.R. § 63.2455(b).
- 16. Provide an electronic spreadsheet indicating the production of dried gluten (i.e., germ processed by the germ dryers) as tons per month at the Facility from July 1, 2013, to the date of this information request.
- 17. For each gluten dryer at the Facility, provide the following information with supporting documentation:
 - a. the percent by weight of total HAPs in the dryer exhaust stream;
 - b. the dryer exhaust stream total resource effectiveness calculated pursuant to 40 C.F.R. § 63.2455(b); and
 - c. the annual hours of operation.
- 18. If the information requested in paragraphs 15 and 17 requires ADM to conduct testing, provide a test plan for EPA approval within 30 calendar days of your receipt of this information request, and conduct testing within 14 calendar days of receiving EPA's approval of the test plan.
- 19. Provide the annual production of modified starch from 2013 to the date of this information request (if applicable) as tons per month. If modified starch is produced, provide the chemical(s) added to the starch in the modification process.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information Is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

Certified Mail, Return Receipt Requested, to:

Nathaniel Munkel
Archer Daniels Midland Company
Corn Processing Division
400 West Erie Road
Marshall, MN 56258-2744

I also certify that I sent a copy of the Request to Provide Information Pursuant to the

Clean Air Act by E-mail to:

Sarah Kilgriff, Manager
Land and Air Compliance Section
Industrial Division
Minnesota Pollution Control Agency
Sarah.Kilgriff@state.mn.us

On the 19th day of July 2018.



Kathy Jones, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7017 1070 0000 1030 0065